Montana Fish, Wildlife & Parks

Decision Notice

Fresno Reservoir Wildlife Management Area Grazing Lease Extension

Montana Fish, Wildlife and Parks
Region 6
54078 Hwy 2 West
Glasgow, MT 59804
406-228-3700

March 25, 2013

Proposed Action

Montana Fish, Wildlife and Parks (FWP) proposal is to extend the grazing lease for the Fresno Reservoir Wildlife Management Area (WMA) for two years until September 15th, 2014.

Fresno Reservoir WMA consists of approximately 2,640 acres of mixed grass prairie, riparian, and wetland habitats. It is located 23 miles northwest of the town of Havre, in Hill County. The WMA is west of the Milk River upstream of Fresno Reservoir. Grazing on the WMA is currently managed in a three-pasture rest-rotation grazing system with a maximum stocking rate of 300 Animal Unit Months (AUMs). Through the proposed lease extension, grazing would continue under these parameters until September 2014.

During the first year of the 2-year lease extension, FWP intends to complete a new management plan for Fresno Reservoir WMA, which will consider the management needs of the WMA with the goal of maximizing wildlife production and recreational opportunities. This planning effort will consider the role of livestock grazing and the condition of upland, riparian, and wetland habitats, among other WMA management components.

Alternative to the Proposed Action

Under the no action alternative, the grazing lease for Fresno Reservoir WMA would not be extended. There would be no livestock grazing on the Fresno Reservoir WMA in 2013. The absence of grazing would increase residual grass cover and vegetation heights, which would provide additional nesting cover for upland nesting birds. In the long-term, the absence of grazing may reduce the availability, palatability, and vigor, and nutrient value of vegetation for ungulates and other herbivores. The long-term absence of grazing could result in an increase in fire fuels and wildfire risk. There would be a loss of revenue from the termination of the grazing

lease. There would be some decreased maintenance costs related to administration and monitoring of the grazing system if the grazing lease is not extended, but there would be a loss of revenue generated by the grazing lease and increased costs for boundary fence maintenance and weed control.

Montana Environmental Policy Act (MEPA) Process

FWP prepared a draft environmental assessment (EA) pursuant to MEPA and is required to assess the potential impacts of the alternatives to the human and physical. FWP mailed 16 copies of the EA to surrounding landowners, Hill County commissioners, and local officials. Electronic notifications of the EA's availability were also made to 11 other individuals, agencies, and interested parties. The EA was open for a 30 day public comment period that ran from February 15th to March 16th. The EA was also available for public review on the FWP website and at the Havre Area Resource office and the FWP Regional office in Glasgow.

Legal notices informing the public of the Fresno Reservoir Grazing Lease Extension EAs availability and opportunities for public were published in the Great Falls Tribune (2/27 & 3/6) and in the Havre Daily News (3/1 & 3/8). A statewide press release was also distributed. Newspaper articles on the EA and proposed action were run in the Havre Daily News, Great Falls Tribune, and Billings Gazette.

A public hearing to explain the proposal, answer questions, and take public comments was held on March 7th, 2013 in Havre at the Hill County Electric Hospitality Room. The meeting was attended by 14 people.

Summary of Public Comment

FWP received 15 written comments from 18 people/groups. Thirteen comments were from private individuals. Two comments were received from individuals representing groups/organizations. Eleven of the comments (73% of the total) were in support of the proposed grazing lease extension. The most common reasons given for supporting the grazing lease extension were:

1) Current management and rest-rotation grazing system has improved the vegetation, habitat quality, and wildlife value.(7)*
2) Grazing decreases fire fuels and reduces wildfire risk.(6)
3) Grazing improves habitat for wildlife. (5)
4) The current lessee's maintenance and livestock management have benefited the WMA and surrounding landowners.(5)
5) The current grazing lease benefits FWP by reducing maintenance costs.(3)

*(the number in parenthesis represents the number of comments received for each topic).

There were four individuals/groups (27% of the total) in opposition to the grazing lease extension on the Fresno Reservoir WMA. The primary categories of comments received were:

1) Due to the potential loss of land enrolled in the Conservation Reserve Program and the high percentage of grazing and agriculture in the surrounding landscape, WMA management should maximize ungrazed vegetation. (4)*
2) Concerns over impacts of livestock grazing on woody vegetation and riparian areas.(3)
3) Concerns over impact of grazing on winter cover for pheasants.(2)
4) Concerns over impacts of grazing on nesting cover for upland nesting birds.(2)
5) The current rate charged for grazing is below market value and should be increased.(2)

*(the number in parenthesis represents the number of comments received for each topic).

FWP Responses to Public Comments

There were a variety of issues raised at the public meeting and through comments submitted. The following is a summary of the issues raised and the responses to these comments.

Comment 1 -- Termination of the grazing lease would result in increased costs for boundary fence maintenance and weed control.

FWP Response – FWP agrees with this comment. The current lessee is primarily responsible for these maintenance activities in order to receive the lower FWP grazing rate. If the grazing lease is not extended, FWP would assume the responsibility for fence maintenance and weed control on the WMA. There are approximately 11 miles of boundary fence. The increased maintenance responsibilities would increase the resources (e.g., employee time, funding, and supplies) that would be required to maintain the property.

Comment 2 -- Due to the potential loss of land enrolled in the Conservation Reserve Program and the high percentage of grazing and agriculture in the surrounding landscape, the WMA should be managed for ungrazed vegetation.

FWP Response – FWP agrees that the majority of private land in northern Hill County is in crop production and FWP recognizes the importance of maintaining native habitats. The rest-rotation grazing system, as applied to the Fresno Reservoir WMA, ensures that pastures receive different grazing treatments annually, which supports the health and productivity of native grassland vegetation. Rotated grazing treatments also provide a diversity of grass heights that are preferred by a variety of upland nesting grassland birds. There are also tracts of land enrolled in CRP adjacent to the WMA that provide additional ungrazed cover for wildlife. Per state statute 87-1-201 (9iv), the Department is required to address fire mitigation for any WMA in excess of 50 contiguous acres. Through the utilization of cattle grazing, FWP is reducing fire fuels at the WMA, thus reducing the risk of wildfire within the WMA.

Comment 3 – Livestock grazing, particularly during the late summer can degrade willow and riparian habitats. Livestock grazing can impact the succession of riparian vegetation. Woody vegetation provides important winter cover for pheasants.

FWP Response -- Livestock grazing can negatively impact riparian vegetation. The duration, timing, and amount of use are all factors that can influence the impacts of livestock grazing on riparian vegetation. The rest-rotation grazing treatments established by the current grazing system are intended

to ensure that the growing season, deferred later summer grazing, and rest treatments distribute grazing impacts and follow-up rest periods for plant recovery through time. Based on historic aerial photos, riparian woody vegetation has increased substantially over the last 20 years. In addition, during the short-term extension of this lease grazing impacts on riparian vegetation are expected to be minor. Hydrologic changes during high water events in 2011 have caused most woody riparian areas to remain flooded for almost entire grazing season. The current condition of native vegetation, including riparian habitats, will be evaluated in conjunction with development of a management plan for the WMA.

Comment 4 – Livestock grazing can decrease quality of nesting cover for upland nesting game birds (pheasants, Hungarian partridge, sharp-tailed grouse, and waterfowl).

FWP Response – As was acknowledged in the EA (pages 8-9), livestock grazing does result in a reduction in vegetation height, resulting in less structural cover, and for some game bird species, reduced nesting habitat quality. The growing season grazing treatment, which overlaps with the majority of nesting activities, is restricted to 1/3rd of the grazed area, which allows the other 2/3rds to produce maximum potential grass height and structure for a given growing season. As a longer term benefit, periodic grazing disturbance enhances plant productivity and vigor, which can enhance nesting cover for the pastures that receive deferred and rested grazing treatments.

Comment 5 – The current grazing rate is below the market value for private land grazing rate and should be increased.

FWP Response -- FWP disagrees because the current lessee does provide maintenance on the WMA. The lessee is responsible for fence maintenance, weed control, and assists in wetland water management if needed. In exchange for providing these maintenance responsibilities, FWP charges the lessee the lower FWP grazing rate, which is equal to the DNRC grazing rate

Comment 6 – Failure to extend the grazing lease would have a negative impact on the lessee, neighboring landowners, and the local economy.

FWP Response -- – FWP appreciates this observation. The scope of the EA is focused on possible the 2-year extension of the current lease agreement. As the analysis in the EA acknowledged, the extension of the lease benefits both the lessee and FWP.

Comment 7 -- Failure to extend the grazing lease would result in a loss of revenue for FWP

FWP Response – – FWP agrees. The loss of revenue from the grazing lease was addressed in the EA (page 14), as well as the recognition of the increased costs to the Department for maintenance components at the WMA that are currently covered by the lessee.

Comment 8 -- Concerns over the ability of FWP to maintain its properties if this lease is not renewed

FWP Response-- FWP has two full-time employees in Havre whose responsibilities include WMA maintenance. The primary maintenance activities on this WMA would be maintenance of boundary fences in addition to ongoing weed management. Regardless of the alternative selected, FWP would work with surrounding landowners to ensure boundary fences are maintained. Weed problems on this

WMA have been relatively minor, but future weed outbreaks would be controlled by FWP personnel or through contract with the Hill County Weed Department if needed. FWP would be committed to all other routine maintenance of the property as well.

Comment 9 -- Revenue generated by grazing lease will not cover the additional monetary and personnel costs required to manage the lease.

FWP Response -- There are potential monetary costs associated with administration of this grazing lease including FWP employee time, supplies, and equipment costs. Since the lessee has conducted the majority of the fence repair and weed control over the past 21 years, the administrative costs associated with the grazing lease have historically been nominal. In addition, management expenses including boundary fence maintenance, weed control, and employee time would all increase if the lease is not extended.

Comment 10 – The Fresno Reservoir WMA is dominated by short grass species and does not provide good nesting cover for upland nesting birds and grazing has little to no effect on marshland.

FWP Response -- Upland nesting game birds do prefer more robust vegetation heights and structure. There are areas on the WMA dominated by blue grama and other grass species of short stature. There are other areas with higher densities of western wheatgrass, needlegrass, and other "taller" grass species that can provide quality nesting cover for upland nesting game birds. While grazing can have impacts on wetlands, the stocking rate and rotation of grazing treatments has helped reduce impacts. Grazing impacts will be evaluated in conjunction with development of a management plan for the WMA.

Comment 11 – We suggest FWP focus management actions that favor mule deer rather than white-tailed deer, as we are concerned about the precipitous drop in mule deer numbers around the State as well as around the Western U.S. and Canada. For example, we support either-sex white-tailed deer hunting in this area, but suggest that mule deer hunting should be limited to bucks only.

FWP Response: This comment is outside the scope of this environmental assessment.

Comment 12 -- Livestock grazing can be detrimental to many species of waterfowl when not carefully controlled.

FWP Response -- As was stated in the EA, grazing can reduce vegetation height and structure. However, grazing on the WMA is controlled through a rest-rotation grazing system and a conservative stocking rate. The light-to-moderate grazing intensity and current grazing system provides deferred and rested pastures that provide increased vegetation heights and cover.

Comment 13 – We would like to see the needs of antelope considered in the WMA management plan.

FWP Response -- Pronghorn antelope are an important wildlife species in this Region and valuable game species for sportsmen. There has been very little documented use of this area by pronghorn antelope, which is why pronghorn antelope were not included as a management priority under the original management plan. We will consider your comment as FWP staff draft a new management plan for the WMA.

Comment 14 -- How is the warm water fishery on the Milk River in this area? Can FWP take any steps to enhance the habitat for warm water fish on the WMA?

FWP Response -- This comment is outside the scope of this EA. Information about the Milk River and its fishery can be obtained through the FWP website or by contacting the fisheries staff at the Havre Area Office.

Comment 15 – Are photos or wildlife surveys available documenting habitat conditions prior to and after grazing on the WMA?

FWP Response- FWP does not possess photo points, wildlife surveys, or vegetation surveys prior to the implementation of the current grazing system in 1992. There are currently no photo points established on the WMA to show yearly vegetation conditions after livestock use. Vegetation condition and review of possible grazing impacts will be conducted in conjunction with development of a management plan for the WMA. Aerial photos are available of the area that document large scale habitat changes.

Comment 16 -- The EA provides no reference to any literature supporting this use of livestock grazing for wildlife. I am aware of considerable literature indicating negative impacts of livestock grazing to wildlife.

FWP Response -- The impacts of livestock grazing on wildlife species is highly dependent on the intensity of grazing pressure and season of use. Overgrazing can have long term detrimental impacts on wildlife habitat. The rest-rotation grazing system in place on this WMA and the conservative stocking rate helps avoid any potential long-term negative impacts from overgrazing. Grazing has been shown to have the potential to improve the palatability and vigor of vegetation, resulting in an increase in habitat use by ungulates (Willms et al 1979, Anderson & Scherzinger, 1975; Jourdonnais,1985). As mentioned in the EA, grazing reduces vegetation heights and structure which can benefit long billed curlew (Bicak et al 1992), prairie dogs, chestnut collared longspur (Ryder 1980), and McCown's longspur (Kantrud 1981). The diversity of grazed, deferred, and rested pastures provides for a mix of cover heights, which accommodates a mix of upland nesting bird species (VerCauteren and Gillihan 2009) and other wildlife (Krausman et al. 2009).

Comment 17 – The management priority for this WMA should be wildlife, and should not prioritize allowing an area rancher to maintain his/her existing livestock operation

FWP Response -- As was stated in the EA, the management priority for this WMA is to maximize wildlife habitat and recreational opportunities. Livestock grazing is a management tool that under the right conditions can be used to improve wildlife habitat quality. As part of the environmental assessment process the impacts on land use and the local community are included in the evaluation. FWP will be developing a management plan in the upcoming year that identifies the management objectives of the WMA and strategies for accomplishing objectives.

Comment 18 – Why is the grazing on this WMA being evaluated at this time and is this occurring statewide or just for this WMA?

FWP Response – FWP's lease out policy requires an EA for lease renewals, which is the case with this situation. This is a statewide policy and is not limited to just this WMA.

Comment 19 -- Has there ever been any concerns or directives expressed by the Bureau of Reclamation concerning their leases with FWP and/or third party leases?

FWP Response -- The original development of the rest-rotation grazing system on this WMA was developed with Bureau of Reclamation involvement. There were no comments submitted by the Bureau of Reclamation during the comment period on this lease, but BOR staff did attend the public meeting.

Comment 20 -- Who is responsible for the maintenance of the current fence system?

FWP Response -- The current lessee does provide maintenance on the WMA. The lessee has been the primary individual responsible for fence maintenance, weed control, and assists in wetland water management if needed.

Comment 21 -- Does the BOR or FWP pay property taxes on these acres?

FWP Response – FWP leases the property from the BOR. The BOR does not pay county property taxes – they have an exempt status.

Comment 22 -- Concerns were raised that the future management plan for this area be based on sound science and not be influenced by political issues. There were also comments encouraging transparency and public involvement in the development of this management plan.

FWP Response -- The updated management plan for this WMA will be available to the public for comment and input. The management plan will identify science-based management strategies designed to achieve the wildlife habitat and recreation objectives identified in the plan.

Comment 23 -- Will there be range land specialists involved in the building of the new management plan/plans not just wildlife biologists?

FWP Response – Wildlife personnel from the local, regional, and statewide levels are directly involved when FWP updates individual WMA management plans. The FWP wildlife habitat management biologist, plant ecologist, and habitat bureau section chief will be working together with the local wildlife biologist and regional wildlife manager to update this plan.

Comment 24 -- Are documents related to management of this WMA (e.g. management plans and cooperative agreements with the Bureau of Reclamation) available to the public?

FWP Response – These documents are available and can be viewed by contacting FWP's Havre Area Resource Office.

Comment 25 – One comment raised concerns that livestock grazing could have negative impacts on mule deer (e.g., decreased fawn survival, displacement, habitat modifications).

The rest-rotation grazing system, as applied to the Fresno Reservoir WMA, ensures that pastures receive different grazing treatments annually, which supports the health and productivity of native grassland and riparian vegetation. Rotated grazing treatments also provide a diversity of grass heights. Areas with increased grass height and structure are present for fawning and additional areas with increased palatability and vigor of vegetation are also available. The rotational nature of the grazing system ensure livestock are absent from 2/3 of the property at any one time during the grazing season. There is no livestock use of the WMA from September 15 through May 15. The rest-rotation grazing treatments established by the current grazing system are intended to ensure that the growing season, deferred later summer grazing, and rest treatments distribute grazing impacts and follow-up rest periods for riparian shrub vigor through time.

Comment 26 -- Is this area historic sage grouse habitat? While we doubt sage grouse can be successfully re-established in this area due to the large degree of habitat fragmentation due to extensive farming are there any areas in Hill County FWP is working on this at all?

FWP Response – This area is historic sage grouse habitat, but there currently are no known greater sage grouse populations in this area. FWP has worked to conserve important native sagebrush habitats and promote connectivity between greater sage grouse populations in Montana and Canada.

Literature Cited

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Decision

Based on the Environmental Assessment we have determined that the proposed action will not have significant effects on the human and physical environment associated with this action. Therefore an environmental assessment (EA) is the appropriate level of analysis for this project.

The extension of the grazing lease for the Fresno Reservoir WMA for two years would continue livestock grazing under the current rest-rotation grazing system. The lessee would be able to graze the WMA with a maximum of 300 AUMs from May 15th-September 15th.

After review of this proposal and the public comments submitted, it is my decision to accept the Decision Notice and Draft Environmental Assessment as final and to recommend the extension of the grazing lease on the Fresno Reservoir WMA.

The Record of Decision will be available for public viewing on the Montana Fish, Wildlife, and Parks website at: http://fwp.mt.gov/news/publicNotices. Copies of the EA and Record of Decision may also be obtained by contacting the Fish, Wildlife and Parks Havre Area Office, 2165 Hwy 2 East, Havre, MT 59501 (406-265-6177).

Steve Dalbey
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